



RG

From: Russell Greer RussMark@gmail.com
Subject: Re: Activity in Case 2:24-cv-00421-DBB-JCB Greer v. Moon et al Memorandum Decision
Date: February 15, 2025 at 8:34 PM
To: Joshua Moon jcmoon@pm.me, Matthew D. Hardin MatthewDHardin@protonmail.com

Hello,

So if the \$225.25 is deducted, you want \$774.75?

And ok I will withdraw the motion

Sent from my iPhone

On Feb 12, 2025, at 11:24 AM, Matthew Hardin <matthewdhardin@gmail.com> wrote:

Good afternoon,

In light of the below order, we request that you withdraw your motion at ECF No. 190 as moot. You may deduct \$225.25 from your payment to us, as an offset. Should you fail to withdraw your motion at ECF No. 190, we will of course argue that it is moot in our response on February 28. But additionally, you will be liable for sanctions if we are forced to respond to a moot motion that you have failed to appropriately withdraw. "Plaintiff may be susceptible to sanctions for failing to withdraw the motion once it became moot." *Dorado v. Murillo*, 2024 Cal. Super. LEXIS 12966, *3 (Fe. 9, 2024).

Notwithstanding your vow to "appeal the hell out of this" on February 11, 2025, we also wish to advise you that an interlocutory appeal of a civil sanction is impermissible. "Sanctions, even if issued as civil contempt orders, generally are not deemed final appealable orders under 28 U.S.C. § 1291." *Law v. NCAA*, 134 F.3d 1438, 1440 (10th Cir. 1998). *See also G.J.B. & Assocs., Inc. v. Singleton*, 913 F.2d 824, 827-29 (10th Cir. 1990) (counsel of record may not file interlocutory appeal for imposition of sanctions); *D&H Marketers, Inc. v. Freedom Oil & Gas, Inc.*, 744 F.2d 1443, 1445-46 (10th Cir. 1984) (parties may not file interlocutory appeal from imposition of sanctions); *see also Consumers Gas & Oil, Inc., v. Farmland Indus., Inc.*, 84 F.3d 367, 370 (10th Cir. 1996) (party to a pending proceeding may appeal civil contempt order only as part of appeal from final judgment). Should you attempt an interlocutory appeal which the appellate court has no jurisdiction to hear, you can expect that we will seek compensation under Fed. R. App. P. 38.

Best,

Matthew D. Hardin

Hardin Law Office

Direct Dial: 202-802-1948

NYC Office: 212-680-4938

Email: MatthewDHardin@protonmail.com

On Feb 12, 2025, at 1:04 PM, utd_enotice@utd.uscourts.gov wrote:

This is an automatic e-mail message generated by the CM/ECF system. If you need assistance, call the Help Desk at (801)524-6100.

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District of Utah

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Case Name: Greer v. Moon et al

Case Number: [2:24-cv-00421-DBB-JCB](#)

Filer:

Document Number: [230](#)

Docket Text:

MEMORANDUM DECISION and Order: The court ADOPTS IN PART Magistrate Judge Bennett's Order [218]. The court GRANTS IN PART and DENIES IN PART Mr. Greers Objection [221]. Mr. Greer is ORDERED to pay Defendants an award of \$1,000 on or before March 13, 2025. Signed by Judge

David Barlow on 02/12/2025. (kpf)

2:24-cv-00421-DBB-JCB Notice has been electronically mailed to:

Stewart B. Harman stewart.harman@bachhomes.com, aanderson@pckutah.com

Matthew D. Hardin matthewdhardin@gmail.com, matthewdhardin@ecf.courtdrive.com, matthewdhardin@protonmail.com

Russell G. Greer russmark@gmail.com

2:24-cv-00421-DBB-JCB Notice has been delivered by other means to:

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:n/a

Electronic document Stamp:

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] [2a7d4bc59f906bce91ec690b8557cbf821a9f643bc5c12884075b23562b8956e024
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